



# Journal of the House

State of Indiana

121st General Assembly

Second Regular Session

Nineteenth Day

Tuesday Afternoon

February 11, 2020

The invocation was offered by Associate Pastor John Pate of Burge Terrace Baptist Church in Indianapolis, a guest of Representative Kirchhofer.

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Macer.

The Speaker ordered the roll of the House to be called:

Abbott	Jackson
Austin	Jordan
Aylesworth	Judy
Bacon	Karickhoff
Baird	Kirchhofer
Barrett	Klinker
Bartels	Lauer
Bartlett	Lehe
Bauer	Lehman
Beck	Leonard
Behning	Lindauer
Borders	Lucas
Boy	Lyness
T. Brown	Macer
Burton	Manning
Campbell	May
Candelaria Reardon <input type="checkbox"/>	Mayfield
Carbaugh	McNamara
Cherry	Miller
Chyung	Moed
Clere	Morris
Cook	Morrison <input type="checkbox"/>
Davisson	Moseley
Deal	Negele
DeLaney	Nisly
DeVon	Pfaff
Dvorak	Pierce
Eberhart	Porter
Ellington	Prescott <input type="checkbox"/>
Engleman	Pressel
Errington	Pryor
Fleming	Saunders
Forestal	Schaibley
Frye	Shackleford
GiaQuinta	Sherman
Goodin	Smaltz
Goodrich	V. Smith
Gutwein	Soliday
Hamilton	Speedy
Harris	Steuerwald
Hatcher	Stutzman
Hatfield	Sullivan
Heaton	Summers
Heine	Thompson
Hostettler	Torr
Huston	VanNatter

Vermilion  
Wesco  
Wolkins  
Wright

J. Young  
Zent  
Ziemke  
Mr. Speaker

Roll Call 174: 97 present; 3 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

## HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Thursday, February 13, 2020, at 10:00 a.m.

LEHMAN

The motion was adopted by a constitutional majority.

## REPORTS FROM COMMITTEES

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred Senate Bill 307, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 307 as printed January 22, 2020.)

Committee Vote: Yeas 13, Nays 0.

FRYE R, Chair

Report adopted.

## INTRODUCTION OF BILLS

With consent of the members, the following bills and joint resolutions on Bill List 19 were read a first time by title and referred to the respective committees:

**SB 291** — Clere, Engleman, Eberhart, Goodin

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**SB 292** — Brown T, Manning, Pryor

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**SB 295** — Behning

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**SB 309** — Beck, Karickhoff, Deal

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

**SB 311** — Bauer, Kirchhofer, Wright

Committee on Insurance

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**SB 317 — Manning**

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

**SB 319 — Jordan, Behning, DeVon**

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**SB 320 — Miller D, Morris, Cherry**

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**SB 324 — Abbott**

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**SB 327 — Carbaugh, Heaton, Burton**

Committee on Financial Institutions

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

**SB 330 — Torr**

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

**SB 331 — Judy, Bartels**

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**SB 334 — Wesco, Judy, Lucas**

Committee on Elections and Apportionment

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

**SB 335 — Steuerwald**

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**SB 337 — Lehman, Schaibley, Carbaugh**

Committee on Insurance

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**SB 342 — Kirchhofer, Engleman, Klinker, Negele**

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning labor.

**SB 343 — Manning**

Committee on Utilities, Energy and Telecommunications

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

**SB 345 — Lindauer, DeVon**

Committee on Family, Children and Human Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

**SB 346 — Behning, Burton, Clere**

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**SB 350 — Brown T**

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**SB 363 — Lauer, DeVon, Engleman**

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning civil procedure.

**SB 364 — Smaltz, Lucas**

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

**SB 365 — Soliday, Aylesworth**

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**SB 368 — Wolkins, Lehe, Pierce**

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning environmental law.

**SB 383 — Brown T, Vermilion, Porter, Pryor**

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

**SB 385 — VanNatter**

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**SB 395 — Burton**

Committee on Financial Institutions

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

**SB 398 — Sullivan, Jordan, Klinker**

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**SB 400 — Miller D**

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**SB 401 — Thompson**

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**SB 403 — Thompson**

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**SB 405 — Pressel**

Committee on Employment, Labor and Pensions

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

**SB 406 — Bartels**

Committee on Employment, Labor and Pensions

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**SB 409** — Lyness, Goodrich

Committee on Employment, Labor and Pensions

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

**SB 410** — Abbott, Pressel

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**SB 416** — Harris, Brown T, Hatcher, Smith V

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

**SB 425** — Cook, Jordan, Clere, Deal

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**SB 427** — Zent, Brown T

Committee on Employment, Labor and Pensions

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

**SB 430** — Wolkins

Committee on Environmental Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

**SB 433** — Lindauer

Committee on Natural Resources

A BILL FOR AN ACT to amend the Indiana Code concerning natural resources.

**SB 434** — Eberhart

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**SB 438** — Lehe, Prescott

Committee on Agriculture and Rural Development

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

**SB 449** — Negele, Torr

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

**RESOLUTIONS ON FIRST READING****House Concurrent Resolution 25**

Representative Ziemke introduced House Concurrent Resolution 25:

A CONCURRENT RESOLUTION recognizing Honda Manufacturing of Indiana for its contributions to the community.

*Whereas, Honda Manufacturing of Indiana produced its two-millionth car in Greensburg since manufacturing began in 2008;**Whereas, Honda-Greensburg produced the milestone, a Crystal Black Pearl CR-V, on May 31, 2019;**Whereas, Honda-Greensburg is a 2.4 million square foot facility employing more than 2,500 employees, with the capacity to build 250,000 vehicles each year;**Whereas, Honda Manufacturing of Indiana has been a proactive member of the Hoosier community with programs like Hands on Honda, an employee-volunteerism program, and by offering in-kind donations, food drives, blood drives, and financial support for eligible nonprofit organizations;**Whereas, Honda Manufacturing of Indiana became a founding partner of the Conexus Indiana program INvets, which provides meaningful job training and hiring opportunities for Indiana's military service members;**Whereas, Honda has announced a four million dollar expansion to add 54 jobs to plant operations and expand the Honda-Greensburg portfolio to include the CR-V Hybrid;**Whereas, Honda-Greensburg will produce the Honda Civic, Insight, CR-V, and CR-V Hybrid upon completion of its expansion; and**Whereas, The Indiana General Assembly recognizes the positive impact of Honda Manufacturing of Indiana and wishes the company continued success for years to come: Therefore,**Be it resolved by the House of Representatives  
of the General Assembly of the State of Indiana,  
the Senate concurring:*

SECTION 1. That the Indiana General Assembly recognizes Honda Manufacturing of Indiana for its contributions to the community and its continued success.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative Cindy Ziemke for distribution.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Perfect.

**House Concurrent Resolution 31**

Representative Austin introduced House Concurrent Resolution 31:

A CONCURRENT RESOLUTION recognizing the Anderson High School Marching Highlanders for their achievements at the 2019 Indiana State Fair.

*Whereas, The Indiana State Fair band competition has been held since 1946;**Whereas, This year marks the 50th consecutive year that an Anderson Community Schools band has represented the community of Anderson, Indiana, in this annual contest;**Whereas, Collectively bands representing Anderson High School, Highland High School and Madison Heights High School have earned 15 first-place awards through the years;**Whereas, The 2019-2020 Anderson High School Marching Highlanders are directed by Richard Geisler and comprised of 90 students and 20 staff and volunteer members;**Whereas, The Anderson High School Marching Highlanders traveled to Indianapolis to compete against 39 other participating Indiana high school bands at the Indiana State Fair band competition on August 2, 2019;**Whereas, The Anderson High School Marching Highlanders gave an outstanding performance highlighting the music of Elton John entitled "Sir Elton" featuring the songs "Saturday Night," "Your Song," "Crocodile Rock" and "Can You Feel The Love Tonight";**Whereas, The Anderson High School Marching Highlanders were awarded first place in the categories of best music, best general effects and were named the overall winner of the 2019 Indiana State Fair band day competition class AAA division; and*

*Whereas, the Anderson High School Marching Highlanders proudly hold the distinctive state record of seven first place awards at the Indiana State Fair Band Competition having earned top honors in 1957, 1958, 1959, 1985, 1986, 2010, and 2019: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That the Indiana General Assembly recognizes the Anderson High School Marching Highlanders for their Achievements at the 2019 Indiana State Fair.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Terri Jo Austin for distribution.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Lanane.

## RESOLUTIONS ELIGIBLE FOR ADOPTION

### House Concurrent Resolution 18

The Speaker handed down on its passage House Concurrent Resolution 18, introduced by Representative Heine:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to rename a portion of State Road 930 in honor of service members who fought and served during Operation Enduring Freedom.

The resolution was read a second time and adopted. Roll Call 175: yeas 97, nays 0. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Kruse.

The Speaker yielded the gavel to the Deputy Speaker Pro Tempore, Representative Karickhoff.

## RESOLUTIONS ON FIRST READING

### Senate Concurrent Resolution 5

The Speaker handed down Senate Concurrent Resolution 5, sponsored by Representative Bosma:

A CONCURRENT RESOLUTION recognizing the 21st Century Scholars Program for 30 years of helping Hoosiers afford a college education.

*Whereas, Indiana must dramatically increase postsecondary attainment to meet the state's economic imperatives and to provide Hoosiers with greater opportunities for lifelong success;*

*Whereas, The State of Indiana must ensure college is an affordable option for all Hoosiers, no matter life's circumstances or obstacles;*

*Whereas, Enacted in 1990, the Evan Bayh 21st Century Scholarship, Indiana's early college promise program for low-income Hoosiers, has demonstrated success at addressing postsecondary access and achievement;*

*Whereas, 86% of 21st Century Scholars enroll in college, compared to 63% of the overall high school population, and more than twice the level of their low-income peers;*

*Whereas, 21st Century Scholars have gained 12 percentage points in on-time college completion in five years;*

*Whereas, The 21st Century Scholars Program promotes educational equity, and scholars are the only group on track to close the achievement gap by 2025;*

*Whereas, The 21st Century Scholars Program celebrates 30 years of helping thousands of Hoosier learners aspire to, prepare for, and afford a college education;*

*Whereas, The 21st Century Scholars Program has consistently garnered strong bipartisan support in the General Assembly and through changing administrations; and*

*Whereas, The 21st Century Scholars Program is necessary to close Indiana's educational achievement gap and ensure a strong economy for generations to come: Therefore,*

*Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly recognizes the Evan Bayh 21st Century Scholars Program for 30 years of helping Hoosiers afford a college education.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to Commissioner of Higher Education Teresa Lubbers and to each member of the Commission for Higher Education

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

The Deputy Speaker Pro Tempore yielded the gavel to the Speaker.

### Senate Concurrent Resolution 25

The Speaker handed down Senate Concurrent Resolution 25, sponsored by Representative Behning:

A CONCURRENT RESOLUTION congratulating Adam Ferguson for being named the 2020 Plainfield Community School Corporation Teacher of the Year.

*Whereas, Adam Ferguson, a teacher at Plainfield High School, was named the 2020 Plainfield Community School Corporation Teacher of the Year;*

*Whereas, Adam is a graduate of Ball State University, holding Bachelor of Science degrees in Social Studies Education and History, a Summa Cum Laude graduate of the Ball State Honors College, and is working on his Master's Degree in History as part of the Indiana University Advanced College Project History Program;*

*Whereas, Adam taught for two years at Northwestern High School in Kokomo before moving to Plainfield High School, where he has taught Cultural History of the American People, We the People, Dual Credit U.S. History, and Advanced Placement Government for six years;*

*Whereas, Engaged in student activities at Plainfield High School, Adam serves on several school committees and as the sponsor of National Honor Society and Riley Dance Marathon; and*

*Whereas, Adam's dedication and commitment to the education of each of his students resulted in him being named the 2020 Teacher of the Year for Plainfield Community School Corporation: Therefore,*

*Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly congratulates Adam Ferguson on being named the 2020 Plainfield Community School Corporation Teacher of the Year.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Adam Ferguson

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

### Senate Concurrent Resolution 36

The Speaker handed down Senate Concurrent Resolution 36, sponsored by Representative Wright:

A CONCURRENT RESOLUTION honoring John Thomas Shettle on his retirement from the Orestes town council.

*Whereas, John has served on the Orestes town council for 30 years, the longest tenure in town council history;*

*Whereas, John is a Navy Veteran who served on the USS Everglade and the USS Wren in Korea. Before his discharge in 1955, he attained the rank of petty officer 2nd class;*

*Whereas, After his service, John graduated from the Indiana State Police Academy in 1955. He progressed from a trooper at Dunes National Park to a Captain in command of the parking division;*

*Whereas, Governor Otis Bowen appointed John as Indiana State Police Superintendent. In his 10 years as Superintendent, two of John's initiatives, "Click It or Ticket" and "Operation CARE - Combined Accident Reduction Enforcement", have evolved into federal programs. During the last two years of his term as Superintendent, John served as the Commissioner of the Department of Corrections;*

*Whereas, John worked in multiple other professional capacities. For a number of years, John worked at Methodist Hospital as head of security. John worked as the Veteran's Affairs Liaison in the offices of United States Representatives McIntosh and Pence. John also served in state and local offices as a member of the United Methodist Church;*

*Whereas, The University of Indianapolis honored John with an Honorary Doctorate of Laws;*

*Whereas, John was married to his wife Carolyn DeLawter Shettle for 64 years; and*

*Whereas, When not serving his community, he enjoys spending time with his four children, ten grandchildren, seven great-grandchildren, and his one great, great grandchild: Therefore,*

*Be it resolved by the Senate  
of the General Assembly of the State of Indiana,  
the House of Representatives concurring:*

SECTION 1. That the Indiana Senate honors John Thomas Shettle upon his retirement from the Orestes town council.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to John Thomas Shettle.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

### OTHER BUSINESS ON THE SPEAKER'S TABLE

#### Reassignments

The Speaker announced the following reassignments:

Engrossed Senate Bill 243 from the Committee on Public Health to the Committee on Insurance.

Engrossed Senate Bill 337 from the Committee on Insurance to the Committee on Rules and Legislative Procedures.

#### HOUSE MOTION

Mr. Speaker: I move that Representative Bacon be removed as 1st Sponsor of Senate Bill 171 and Representative Karickhoff be substituted therefor, Representative Karickhoff be removed as cosponsor and Representative Bacon be added as cosponsor.

BACON

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representative Wesco be added as cosponsor of Engrossed Senate Bill 187.

MILLER

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representative Schaibley be added as cosponsor of Engrossed Senate Bill 246.

COOK

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representatives Lehman and Speedy be added as cosponsors of Engrossed Senate Bill 249.

MCNAMARA

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representative Vermilion be removed as 1st Sponsor of Senate Bill 255 and Representative Kirchhofer be substituted therefor, Representative Kirchhofer be removed as cosponsor and Representative Vermilion be added as cosponsor.

VERMILION

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representative DeVon be removed as 1st Sponsor of Senate Bill 288 and Representative Bacon be substituted therefor, and Representative DeVon be added as cosponsor.

DEVON

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representatives Judy and Goodrich be added as cosponsors of Engrossed Senate Bill 307.

FRYE

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representative Lehman be added as cosponsor of Engrossed Senate Bill 437.

CARBAUGH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Saunders be added as coauthor of House Concurrent Resolution 22.

BARRETT

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 22, 26, 27, 29 and 30 and the same are herewith returned to the House.

JENNIFER L. MERTZ  
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolutions 5, 25, 30 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ  
Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Abbott, the House adjourned at 2:32 p.m., this eleventh day of February, 2020, until Thursday, February 13, 2020, at 10:00 a.m.

BRIAN C. BOSMA

Speaker of the House of Representatives

M. CAROLINE SPOTTS

Principal Clerk of the House of Representatives